

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF DELAWARE

William A. Newsom

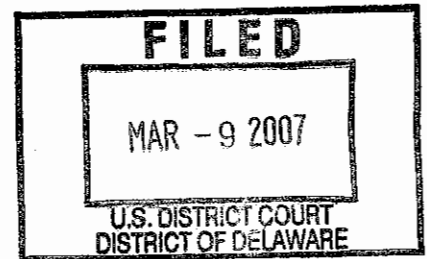
Plaintiff,

v.

Stanley W. Taylor, et al.

Defendant.

Civil Action No. 05-673 GMS



Motion to Show Good Cause

Now comes the plaintiff, William A. Newsom, pro se, respectfully responding to this  
honorable courts order to show good cause as to why the defendants Alie, Cunningham, and  
Sagers should not be dismissed without further notice pursuant to Rule 4(m) of the Federal  
Rules of Civil Procedure.

The plaintiff avers as follows:

Plaintiff filed a complaint on September 15, 2006 in the above captioned case. On June 1, 2006, USM 285 forms were returned unexecuted as to the defendants Alie, Cunningham, and Sagers. Plaintiff is without formal legal training and has limited knowledge of the law. Plaintiff was unaware of what to do when forms where returned unexecuted after plaintiff had sent them to the last known adress of the defendants. Plaintiff has had limited time in the law library to do research due to physical complications from a spinal surgery that was performed in October of 2006. After just recently speaking to a "jailhouse lawyer", plaintiff has discovered that pleadings that are filed by pro se litigants are held to less stringent standards and are to be liberally construed by the Federal Courts, *Fernandez v. U.S.*, 941 F.2d 1488 (11<sup>th</sup> Cir. 1991) and *Boag v. MacDougall* 454 U.S. 364, 70 L.Ed.2d 551, 102 S.Ct. 700 (1982).

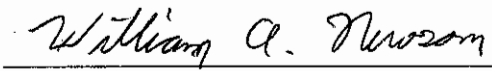
Plaintiff is filing all pleadings to the best of his ability and ask that this honorable court to view his filings in a liberal and less stringent manner. Plaintiff sent the USM 285 forms to the defendants last known address of employment. Plaintiff is incarcerated and does not have the resources to locate said defendnats, D,Amario v. Russo 750 F.Supp. 560 (D. R.I. 1990) states, "Plaintiff who has made a reasonable effort to serve summons and complaint within 120 days of filing may be given some leniency in service deadline under Fed.R.Civ.P.4(j).

Furthermore, plaintiff has just discovered that the court has an obligation to assist pro se plaintiffs in the service of process. Palmer v. Stewert, No. 02 Civ.4076 LTS GWG, 2003 WL 21279440 (S.D.N.Y. June 4, 2003) (citing Valentin v. Dinkins, 121 F.3d 72 (2d Cir. 1997) ). Indeed, many courts have entered orders to assist a pro se plaintiff in identifying and obtaining addresses of defendants so that service may be effected. See In Re Johnson, No. 02-5225, 2001 WL 1286254 (D.C. Cir. Sept. 28, 2001) (district court ordered individual to indicate where and when he was available for service of process or to provide district court with name and address of individual authorized to accept service of process on his behalf); Palmer v. Stewert , No. 02 Civ.4076 LTS GWG, 2003 WL 21279440 (S.D.N.Y. June 4, 2003) ( court ordered counsel for New York City to file an affidavit containing name and address to assist pro se plaintiff in service of process); Garret v. Miller, No. 02 C 5437, 2003 WL 1790954 (N.D. Ill. Apr. 1, 2003) (counsel for defendnats ordered to provide pro se plaintiff in obtaining service of process); Dudley v. Texas Instruments, Inc., No. Civ.A. 302CV292M, 2002 WL 992766 (N.D. Tex. May 13, 2002) (court determines assistance should be provided to pro se plaintiff to help him effect proper service, and counsel for corporation is orderd to provide plaintiff withy names and addresses of corporate officers and registered agent).

For the foregoing reasons, the plaintiff respectfully request that this honorable court not dismiss defendants Alie, Cunningham, and Sagers. Plaintiff also respecrfully request this honorable court to issue an order to assist the plaintiff in effecting proper service on these

three defendants.

Submitted this 6 day of March, 2007.



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William A. Newsom SBI# 257317

Delaware Correctional Center

1181 Paddock Road

Smyrna, DE 19977

**Certificate of Service**

I, William A. Newsom hereby certify that I have served a true and correct cop(ies) of the attached Motion To Show Good Cause Upon the following parties/persons:

To: U.S. District Court  
844 N. King Street  
Lockbox 18  
Wilmington, Delaware  
19801


To: Eileen Kelly, Dep. Attny. Gen.  
Carvel State Building  
820 N. French Street  
Wilmington, Delaware  
19801

To: Daniel L. McKenty, esq.  
Dana Spring Monzo, esq.  
1225 N. King St., Suite 1100  
P.O. Box 397  
Wilmington, Delaware 19899

To:

BY PLACING SAME IN A SEALED ENVELOPE, and depositing same in the United States Mail at the Delaware Correctional Center, Smyrna, DE 19977.

On this 6 day of March, 2007

  
\_\_\_\_\_  
William A. Newsom SBI#257317

IM WILLIAM A. NEWSOM

SBI# 257317 UNIT T-2/BED 18

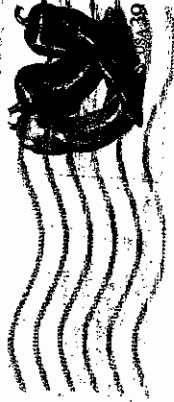
DELAWARE CORRECTIONAL CENTER

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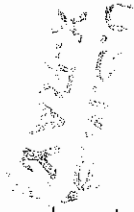
UNITED STATES DISTRICT COURT

844 NORTH KING STREET

LOCK BOX 18

WILMINGTON, DELAWARE

19801



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